

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**MICHAEL DOUGLAS and GENERAL
EXCAVATING COMPANY,**

Plaintiffs,

v.

LITHKO CONTRACTING,

Defendant,

CASE NO. 8:11CV177

**ORDER AND
FINAL JUDGMENT**

This matter is before the Court on the parties' Joint Stipulation for Dismissal with Prejudice (Filing No. 17). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The parties will bear their own costs and attorney's fees. Accordingly,

IT IS ORDERED:

1. The parties' Joint Stipulation and Motion for Dismissal with Prejudice (Filing No. 17) is approved;
2. The Complaint (Filing No. 1) is dismissed with prejudice; and
3. The parties will pay their own costs and attorney's fees.

Dated this 22nd day of August, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge